UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,989	09/19/2003	Stefan Rossmanith	34874-061 UTIL	5382

			EXAMINER
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MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C.			HOANG, HIEU T
9255 TOWNE CENTER DRIVE			
SUITE 600		ART UNIT	PAPER NUMBER
SAN DIEGO, CA 92121		2152	

MAIL DATE	DELIVERY MODE
12/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/665,989	ROSSMANITH ET AL.
	Examiner	Art Unit	
	Hieu T. Hoang	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 November 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to the communication filed on 11/09/2007.

2.   Claims 19 and 20 are new.

3.   Claims 1-20 are pending and presented for examination.

Response to Arguments

4.   Applicant's arguments on have been fully considered but they are moot in view of new ground(s) of rejection.

Claim Objections

5.   Claim 8 is objected to because of the following informalities: the claim recites "each messages" the final limitation. This is believed to be a grammatical error. Applicant is requested to check for any errors in the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 101

6.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7.   Claims 1-7, 19, 20 are rejected under 35 U.S.C. 101 the claimed invention is directed to non-statutory subject matter. Although the claims are system claims, all

claimed elements are software (such as layers, repository, directory, software server),

rendering the claim non-statutory.

8.   Claims 8-11 are rejected under 35 U.S.C. 101 the claimed invention is directed to

non-statutory subject matter. A (message persistency) arrangement does not belong to

a statutory class.

Claim Rejections - 35 USC § 112

9.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

10.   Claim3 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. The claims recite "the arrangement in accordance with claim

8," it is not clear which arrangement the applicant is referring to. For examining purpose,

this limitation will be treated as "the message persistency arrangement." Correction is

required.

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

12.   Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Stewart et al. (US 2002/0161688, hereafter Stewart), in view of Whitehead et al. (US

6,085,030, hereafter Whitehead).

13.   For claim 1, Stewart discloses an integrated message exchange system for

collaborative business applications, comprising:

an integration server (fig. 8, c-space manager) providing a message transport

layer configured to transport messages from at least one sending application of the one

or more installed applications to one or more receiving applications of the one or more

installed applications (fig. 8, message handling and transport protocol between sending

and receiving application of collaborators 216 and 218);

a business process layer configured to execute business process logic on

selected messages processed by the message transport layer (fig. 8, [0130], business

protocol management layer executes business process logic),

persistence layer, accessible from both the message transport layer and the

business process layer (fig. 8, conversation management layer), and configured to store

a reference to each messages processed by the message transport layer ([0140],

conversation management tracks and manages business conversations, ensures that

they are completed, and orchestrates the overall process execution, [0142],

conversation context distinguishes among different business transactions, allows

concurrent conversations, integrity and security, fig. 19, for stored information relating to each message).

Stewart does not explicitly disclose:

an integration repository, that captures pre-loaded collaboration descriptions of a plurality of applications between which communication could be enabled via the integrated message exchange system, the pre-loaded collaboration descriptions being captured in the integration depository at design time,

a system landscape directory listing one or more installed applications with which the integrated message system communicates;

an integration directory that captures configuration-specific collaboration descriptions of the one or more installed applications listed in the system landscape directory by referencing the integration repository;

the messages being selected based on an application of the configuration-specific collaboration descriptions captured in the integration directory,

However, Whitehead discloses:

an integration repository (fig. 2, component registry), that captures pre-loaded collaboration descriptions of a plurality of applications between which communication could be enabled via the integrated message exchange system (fig. 2, col. 4 lines 56-67, storing application descriptions in description repository 258), the pre-loaded collaboration descriptions being captured in the integration depository at design time (col. 10 lines 1-26, global component registry for all application requests is preloaded or pre-stored),

a system landscape directory listing one or more installed applications with which

the integrated message system communicates (fig. 2, component consumer application

210 used by a client);

an integration directory that captures configuration-specific collaboration

descriptions of the one or more installed applications listed in the system landscape

directory by referencing the integration repository (fig. 2, col. 5 lines 15-45, component

management service (CMS) 280 for matching and binding offered components upon

client application request from component consumer application by referencing

component registry 252);

the messages being selected based on an application of the configuration-

specific collaboration descriptions captured in the integration directory (col. 5 lines 15-

45, matching and binding requested application components with registered

components in the repository using application descriptions then passes the matched

component to the requesting component consumer);

Therefore, it would have been obvious for one skilled in the art at the time of the

invention to combine the teachings of Stewart and Whitehead to implement network

component structure of Whitehead to the system of Stewart in order to provide

heterogeneous and distributed software and service components throughout the

network (Whitehead, abstract)

14.   For claim 2, Stewart-Whitehead discloses the invention as in claim 1. Stewart-

Whitehead further discloses a database, accessible via the persistence layer, for storing

a copy of each of the messages corresponding to the message references stored in the

persistence layer (Stewart, fig. 19, message copy).

15.   For claim 3, Stewart-Whitehead discloses the invention as in claim 1. Stewart-

Whitehead further discloses the message transport layer includes a physical address

resolution service, and a transport service (Stewart, fig. 8, transport layer).

16.   For claim 4, Stewart-Whitehead discloses the invention as in claim 1. Stewart-

Whitehead further discloses a logical routing service for determining the one or more

receiving applications based on the business process logic (Stewart, fig. 21, [0130],

logical routes from incoming message to outgoing message according to conversation

coordinator).

17.   For claim 5, Stewart-Whitehead discloses the invention as in claim 1. Stewart-

Whitehead further discloses the business process layer includes a business process

engine for executing the business process logic (Stewart, [0130], business logics are

executed at the business layer).

18.   For claim 6, Stewart-Whitehead discloses the invention as in claim 5. Stewart-

Whitehead further discloses the business process logic is executed according to one or

more business processes stored in a directory accessible by the business process

engine (Stewart, fig. 16, business processes accessible by business integration

service).

19.   For claim 7, Stewart-Whitehead discloses the invention as in claim 6. Stewart-

Whitehead further discloses the one or more business processes are accessed by the

business process engine based on content of each selected message (Stewart, fig. 16,

engine executes workflow instances or business processes based on content of the

instances from the instance store).

20.   For claim 19, Stewart-Whitehead discloses the invention as in claim 1. Stewart-

Whitehead further discloses the integration server comprises: a runtime engine that

provides messaging and business process control at runtime (Stewart, [0062], an

infrastructure that provides business to business (B2B) application collaboration by

dynamic messaging and controlling business processes at runtime) for connecting the

one or more installed applications; and one or more integration services that are specific

to one or more of the one or more installed applications (Whitehead, installed

applications and services).

21.   For claim 20, Stewart-Whitehead discloses the invention as in claim 1. Stewart-

Whitehead further discloses the integration server is a dedicated server that applies the

collaboration knowledge from the integration directory in a runtime collaboration

environment (Stewart, fig. 1, collaboration server, [062], on the fly B2B collaboration updates).

22. For claim 8, Stewart discloses in a message exchange system for collaborative business applications, the message exchange system including a message transport layer configured to transport messages from at least one sending application to one or more receiving applications and a business process layer configured to execute business process logic on select ones of the messages processed by the message transport layer, a message persistency arrangement comprising:

a persistence layer, accessible by both the message transport layer and the business process layer (fig. 8, conversation management layer), configured to store a reference associated with each messages processed by the message transport layer ([0140], conversation management tracks and manages business conversations, ensures that they are completed, and orchestrates the overall process execution, [0142], conversation context distinguishes among different business transactions, allows concurrent conversations, integrity and security, fig. 19, for stored information relating to each message), the persistence layer receiving collaboration descriptions from an integration repository (fig. 21, [0142], conversation context or collaboration descriptions for maintaining integrity of each transaction collaboration is stored in a repository); and

a database accessible from the persistence layer for storing a copy of each messages corresponding to the message references stored in the persistence layer (fig.

19, stored information relating to each message, fig. 15, 16, template store, instance

store);

Stewart does not explicitly disclose:

an integration repository that captures collaboration descriptions of a plurality of

applications between which communication could be enabled via the integrated

message exchange system, the collaboration descriptions being captured in the

integration depository at design time, and from an integration directory that captures

configuration-specific collaboration descriptions of the one or more installed

applications;

However, Whitehead discloses:

an integration repository (fig. 2, component registry) that captures collaboration

descriptions of a plurality of applications between which communication could be

enabled via the integrated message exchange system (fig. 2, col. 4 lines 56-67, storing

application descriptions in description repository 258), the collaboration descriptions

being captured in the integration depository at design time (col. 10 lines 1-26, global

component registry for all application requests is preloaded or pre-stored), and from an

integration directory that captures configuration-specific collaboration descriptions of the

one or more installed applications (fig. 2, col. 5 lines 15-45, component management

service (CMS) 280 for matching and binding offered components upon client application

request from component consumer application by referencing component registry 252);

Therefore, it would have been obvious for one skilled in the art at the time of the

invention to combine the teachings of Stewart and Whitehead to implement network

component structure of Whitehead to the system of Stewart in order to provide

heterogeneous and distributed software and service components throughout the

network (Whitehead, abstract)

23.   For claim 9, Stewart-Whitehead discloses the invention as in claim 8. Stewart-

Whitehead further discloses a copy of a message is accessible from the database via

access to the corresponding message reference from the persistence layer (Stewart,

fig. 19, message copy).

24.   For claim 10, Stewart-Whitehead discloses the invention as in claim 8. Stewart-

Whitehead further discloses the persistence layer includes a machine-readable

medium, and wherein each message reference includes a machine-readable signal

(Stewart, fig. 15, 16, storage devices, and signals traveling between components).

25.   For claim 11, Stewart-Whitehead discloses the invention as in claim 8. Stewart-

Whitehead further discloses the message reference includes a message identifier (ID)

(Stewart, fig. 19, identifiers of a message (conversation, sender, receiver, message

name)).

26.   For claim 12, Stewart discloses in a collaborative business application

landscape, a method for integrated message exchange, comprising:

receiving a message from a sending application of the one or more applications

(fig. 7, step 194, fig. 21, incoming message);

storing a copy of the message in a database; storing a reference to the message

in a persistence layer (fig. 19, message copy, [0142], conversation context or reference

to the message in the conversation manager);

executing at least one business process on the message (fig. 7 step 196, [0141],

business process and rules on processing business messages); and

based on the message reference stored in the persistence layer, transporting the

message to at least one receiving application of the one or more applications (fig. 7 step

210, fig. 21, [0142], outgoing message to a recipient according to the conversation

context of that message);

Stewart does not explicitly disclose:

Capturing configuration-specific collaboration descriptions of one or more

applications installed in an exchange infrastructure, the capturing comprising reading

from a listing of the one or more installed applications that is stored in a system

landscape directory and referencing an integration repository that has captured, at

design time, collaboration descriptions of a plurality of applications between which

communication could be enabled in the exchange infrastructure;

However, Whitehead discloses:

capturing configuration-specific collaboration descriptions of one or more

applications installed in an exchange infrastructure, the capturing comprising reading

from a listing of the one or more installed applications that is stored in a system

landscape directory (fig. 2, col. 5 lines 15-45, component management service (CMS) 280 for matching and binding offered components upon client application request from component consumer application by referencing component registry 252) and referencing an integration repository that has captured, at design time, collaboration descriptions of a plurality of applications between which communication could be enabled in the exchange infrastructure (fig. 2, col. 4 lines 56-67, component registry pre-storing application descriptions in description repository 258);

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Stewart and Whitehead to implement network component structure of Whitehead to the system of Stewart in order to provide heterogeneous and distributed software and service components throughout the network (Whitehead, abstract)

27. For claim 13, Stewart-Whitehead discloses the invention as in claim 12. Stewart-Whitehead further discloses transporting the message includes resolving a physical address of the at least one receiving application (Stewart, fig. 19, trading partner identifier and extended property set for addressing a message recipient).

28. For claim 14, Stewart-Whitehead discloses the invention as in claim 12. Stewart-Whitehead further discloses accumulating, in the persistence layer, two or more message references of related messages (Stewart, [0129], related messages are grouped to a conversation).

29.   For claim 15, Stewart-Whitehead discloses the invention as in claim 14. Stewart-Whitehead further discloses transporting the message includes: accessing and grouping the messages associated with the accumulated message references; and transporting the grouped messages to the at least one receiving application (Stewart, [0129], related messages are grouped into a conversation, multiple conversations can be processed concurrently between trading partners).

30.   For claim 16, Stewart-Whitehead discloses the invention as in claim 12. Stewart-Whitehead further discloses executing the at least one business process includes: determining the at least one business process based on the message content; instantiating the at least one business process in a server; and executing the at least one instantiated business process with a business process engine (Stewart, fig. 16, business processes are instantiated executed by an engine).

31.   For claim 17, Stewart-Whitehead discloses the invention as in claim 16. Stewart-Whitehead further discloses the executing the at least one instantiated business process utilizes the message reference in the persistence layer (Stewart, [0142], message reference or context is utilized to recognize which conversation the message belongs to).

32.   For claim 18, Stewart-Whitehead discloses the invention as in claim 12. Stewart-Whitehead further discloses upon executing the at least one business process, sending the message reference to a message transport layer for transporting the message to at least one receiving application (Stewart, fig.7, fig. 16, [0142], an engine executes business processes using contexts and transport the message to a receiving application). .

Conclusion

33.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Cox et al. US 2003/0105887.

- Wu et al. US 2002/0083095.

34.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
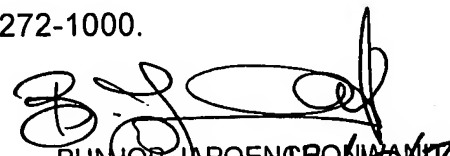
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

35. · Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hieu T. Hoang whose telephone number is 571-270-

1253. The examiner can normally be reached on Monday-Thursday, 8 a.m.-5 p.m.,

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER